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A Limited Liability Partnership  
2 Including Professional Corporations  
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7 Attorneys for Defendant  
ALLSTATE NORTHBROOK INDEMNITY COMPANY  
8 erroneously sued as Allstate Indemnity Company

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10 UNITED STATES DISTRICT COURT  
11 EASTERN DISTRICT OF CALIFORNIA  
12 SACRAMENTO DIVISION

13 JAMES GLORIA,

14 Plaintiff,

15 v.

16 ALLSTATE INDEMNITY COMPANY,  
17 a business entity; and DOES 1 through 50,  
18 inclusive,

19 Defendants.  
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Case No. 2:22-cv-01126-WBS-CKD

**JOINT STIPULATION TO MODIFY  
BRIEFING SCHEDULE RE CROSS-  
MOTIONS FOR SUMMARY  
JUDGMENT; ORDER**

Hon. William B. Shubb  
Courtroom 5, 14th Floor

Magistrate Judge Carolyn K. Delaney  
Courtroom 24, 8th Floor

1 This stipulation is hereby entered into by and between plaintiff James Gloria and defendant  
2 Allstate Northbrook Indemnity Company, by and through their respective counsel, for the purpose  
3 of modifying the Order on Briefing Schedule on Cross-Motions for Summary Judgment (Docket  
4 No. 18).

5 Whereas, the parties are in the process of conducting the discovery that is necessary for the  
6 filing of their cross-motions for summary judgment;

7 Whereas, plaintiff has completed the first session of the deposition of Allstate's person  
8 most knowledgeable and the parties will schedule a second session to take place on a mutually  
9 convenient date;

10 Whereas, plaintiff has further noticed the deposition of a former Allstate employee,  
11 however the witness may need to be subpoenaed;

12 Whereas, the parties have discussed the other witnesses who will need to be deposed in  
13 this case and are working on scheduling depositions;

14 Whereas, during a recent deposition, Allstate learned that there are additional documents  
15 contained in its claim file that were not produced by prior defense counsel and which Allstate's  
16 current counsel is preparing for production;

17 Whereas, in response to written discovery, Allstate is preparing the relevant non-privileged  
18 portions of its claim handling manuals for production;

19 Whereas, the parties have met and conferred regarding the filing of cross-motions for  
20 summary judgment and agree that such motions would be appropriate in this case;

21 Whereas, the parties would like to defer the time and expense of expert discovery and  
22 certain fact discovery until after the Court has ruled on the cross-motions for summary judgment;

23 Whereas, the current filing deadline for the parties' cross-motions for summary judgment  
24 is January 22, 2025;

25 Whereas, the current filing deadline for the parties' oppositions to cross-motions for  
26 summary judgment is February 19, 2025;

27 Whereas, the current filing deadline for the parties' reply briefs in support of their cross-  
28 motions for summary judgment is March 4, 2025;

Whereas, the current hearing date for the parties' cross-motions for summary judgment is March 17, 2025 at 1:30 p.m.;

Whereas, the parties have met and conferred and agree that the foregoing briefing schedule should be modified to accommodate the additional discovery that is needed;

Therefore, subject to the Court's approval, the Parties, by and through their respective attorneys of record, hereby stipulate to Modify the Briefing Schedule on Cross-Motions for Summary Judgment (Docket No. 18), as proposed below:

1. The parties' cross-motions for summary judgment shall be filed on or before March 21, 2025;

2. Any opposition to the parties' cross-motions for summary judgment shall be filed on or before April 18, 2025;

3. Any reply brief in support of the parties' cross-motions for summary judgment shall be filed on or before May 2, 2025; and

4. The hearing date for the parties' cross-motions for summary judgment shall be scheduled for May 12, 2025 at 1:30 p.m.

IT IS SO STIPULATED.<sup>1</sup>

Dated: January 22, 2025

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

By

/s/ Joseph E. Foss

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JOSEPH E. FOSS

Attorneys for Defendant

Allstate Northbrook Indemnity Company

<sup>1</sup> The filer certifies that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

1 Dated: January 22, 2025  
2

3 By

*/s/ Jonathan Amir Durham*

4 JONATHAN AMIR DURHAM

Attorneys for Plaintiff

5 James Gloria  
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**ORDER**

Having considered the Stipulation and for good cause shown, IT IS HEREBY ORDERED that the Order Modifying the Briefing Schedule on Cross-Motions for Summary Judgment (Docket No. 18) be modified as follows:

1. The parties' cross-motions for summary judgment shall be filed on or before March 21, 2025;

2. Any opposition to the parties' cross-motions for summary judgment shall be filed on or before April 18, 2025;

3. Any reply brief in support of the parties' cross-motions for summary judgment shall be filed on or before May 2, 2025; and

4. The hearing date for the parties' cross-motions for summary judgment shall be scheduled for **May 12, 2025 at 1:30 p.m.**

IT IS SO ORDERED.

Dated: January 22, 2025



**WILLIAM B. SHUBB**  
**UNITED STATES DISTRICT JUDGE**